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C. Steffe
Docket No. 2976-4032

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Reissue of: U.S. Patent No. 5,767,115

Applicants: Rosenblum et al.

Serial No.: 09/594,996

Group Art Unit: 1624

Filed: June 15, 2000

Examiner: Berch, M.

Granted: June 16, 1998

For: Hydroxy-Substituted Azetidinone
Compounds Useful As
Hypocholesterolemic Agents

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO THE EX PARTE QUAYLE ACTION

Dear Sir:

In response to the *Ex Parte Quayle* action dated March 14, 2001, applicants provide the following amendment and remarks. Applicants have previously filed a petition and fee for one month extension of time, thereby extending the period of response to June 14, 2001. Therefore this response is believed to be timely filed.

IN THE CLAIMS

Please amend the claim 10 as follows:

10. (amended) A compound comprising 1-(4-fluorophenyl)-3(R)-[3(S)-(4-fluorophenyl)-3-hydroxypropyl]-4(S)-4-(hydroxyphenyl)-2-azetidinone or a pharmaceutically acceptable salt thereof.